

LESTER J. MARSTON
 California State Bar No. 081030
 LAW OFFICES OF RAPPORT AND MARSTON
 AN ASSOCIATION OF SOLE PRACTITIONERS
 405 West Perkins Street
 Ukiah, California 95482
 Telephone: 707-462-6846
 Facsimile: 707-462-4235
 Email: ljmarston@rmlawoffice.net
Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

BLUE LAKE RANCHERIA,
 CHICKEN RANCH RANCHERIA OF
 ME-WUK INDIANS, and PICAYUNE
 RANCHERIA OF THE
 CHUKCHANSI INDIANS

Plaintiffs,

v.

KALSHI INC., KALSHIEX LLC,
 ROBINHOOD MARKETS, INC.,
 ROBINHOOD DERIVATIVES LLC,
 and DOES 1-20,

Defendants.

Case No. 25-cv-06162-JSC

**NOTICE OF SUPPLEMENTAL
 AUTHORITY IN SUPPORT OF
 PLAINTIFF TRIBE’S MOTION FOR A
 PRELIMINARY INJUNCTION**

Pursuant to L.R. 230(m)(1), Plaintiff Tribes respectfully submit the attached order issued on October 14, 2025 in the case *N. Am. Derivatives Exch., Inc. v. Nev. on Rel. of the NV Gaming Control Bd.*, 2025 U.S. Dist. LEXIS 202104 (“Opinion”) in support of the Tribes’ arguments concerning the proper interpretation of 17 C.F.R 40.11(a) set forth in the Tribes’ memorandum of point and authorities in support of their motion for a preliminary injunction and reply brief. In that case, Plaintiff North American Derivatives Exchange, Inc., d/b/a Crypto.com, brought this suit to permanently enjoin the Nevada Gaming Control Board, its members in their official capacities, and the Nevada Attorney General from pursuing civil or criminal enforcement against Crypto for offering sports gambling contracts in Nevada.

The Opinion is relevant to the instant case because it addresses the effect of 17 C.F.R 40.11(a). Opinion at 26-28. Specifically, the court noted that “Congress set forth in the CEA that

1 if the CFTC determines that a contract is contrary to the public interest under this rule, then that
2 contract may not be ‘listed or made available for clearing or trading on or through a registered
3 entity.’.... The CFTC made that public interest determination on a blanket basis when it
4 promulgated 17 C.F.R. § 40.11(a), which prohibits DCMs from listing a swap based on an
5 excluded commodity that ‘involves, relates to, or references . . . gaming,’ or ‘an activity that is
6 similar to’ gaming.” *Id.* at 26-27.

7 Respectfully Submitted,

8 DATED: October 24, 2025

RAPPORT AND MARSTON

9 By: /s/ Lester J. Marston
10 LESTER J. MARSTON, Attorney for Plaintiff Tribes
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CERTIFICATE OF SERVICE

I am employed in the County of Mendocino, State of California. I am over the age of 18 years and not a party to the within action; my business address is that of Rapport & Marston, 405 West Perkins Street, Ukiah, California 95482.

I hereby certify that I electronically filed the foregoing document with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system on October 24, 2025, which generated and transmitted a notice of electronic filing to CM/ECF registrants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct; executed on October 24, 2025, at Ukiah, California.

/s/ Ericka Duncan

ERICKA DUNCAN